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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

VICTORIA RYAN,

Plaintiff,

v.

EDITIONS LIMITED WEST, INC., et al.

Defendants.

No. C 06-04812 PVT
 ORDER DENYING

**~~STIPULATION AND PROPOSED ORDER~~
 TO CONTINUE PRE-TRIAL CONFERENCE
 AND TRIAL**

ORDER RESETTING PRE-TRIAL
 CONFERENCE

On August 15, 2011, the parties stipulated at the request of Defendant's counsel to continue the discovery and dispositive motions cut-offs, pre-trial conference, and trial date. (ECF No. 194.) On August 19 the Court entered an order on the stipulation, setting trial for January 9, 2012.

Plaintiff's counsel is part of a team that is preparing for trial set to begin on January 17 in a patent license dispute. Because of the trial in this case, Plaintiff's counsel had declined the opportunity to participate in the patent trial itself. Nonetheless, Plaintiff's counsel is currently finalizing a fact-intensive and legally-complex opposition to summary judgment due on December 2 in the patent case, and has other pre-trial responsibilities that cannot cost-effectively be shifted to other lawyers on the team.

Under the current schedule, the first round of pretrial submissions in this case are due December 6. Plaintiff's counsel reached out a couple of weeks ago to arrange a conference to work on the joint pretrial statement, but the parties have not yet been successful in coordinating that conference.

1 Defendant's counsel has a trademark infringement case that is going to trial in Miami, Florida,
2 with a pre-trial conference on March 12 and scheduled to commence on March 26.

3 With reference to the foregoing,

4 IT IS STIPULATED by the undersigned counsel for the parties that:

- 5 1. The Final Pre-Trial Conference is continued to April 3, 2012.
6 2. Trial is continued to May 7, 2012.

7 DATED: November 30, 2011

8
9 /s/ Richard A. De Liberty

10 Richard A. De Liberty
11 Attorney for Plaintiff

12 DATED: November 30, 2011

13 ISAACMAN, KAUFMAN & PAINTER, P.C.

14 /s per certification/

15 Michael Painter
16 Attorneys for Defendant
17 Editions Limited West, Inc.

18 **ORDER**

19 Pursuant to the foregoing Stipulation,

20 IT IS SO ORDERED.

21 DATED:

22
23 United States Magistrate Judge

24 The request for a continuance of the final pre-trial conference and
25 trial is DENIED. The final pre-trial conference is reset to
26 December 16, 2011 at 2PM. The trial is scheduled to begin on
27 January 9, 2012 at 9:30AM. This case is over five years old. It
needs to be tried or otherwise resolved.

28 Dated: December 1, 2011

Paul S. Gend

SIGNATURE CERTIFICATION

I attest that Michael A. Painter of Isaacman, Kaufman & Painter, P.C., attorneys for the defendants, provided me his concurrence in the filing of this stipulation.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: November 30, 2011

/s/ Richard A. De Liberty

Richard A. De Liberty